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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,855	11/29/2001	James Aitken	P67362US0	9627

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EXAMINER

FLYNN, KIMBERLY D

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/995,855

Applicant(s)

AITKEN ET AL.

Examiner

Kimberly D Flynn

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on February 22, 2002 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner has considered the information disclosure statement.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Houlding (U.S. Patent No. 6,735,771).

In considering claims 1, 20, and 21, Houlding discloses an interface system comprising means for interfacing between a subscriber and a mobile network element, in which communication with the subscriber is in a subscriber protocol, characterized in that:

the system comprises a request server (Fig. 2, Servlet engine, 215) for receiving subscriber request for services on the network element, and for transmitting responses to the subscriber (col. 5, lines 19-28);

the system comprises a network service provider (Fig. 2, COBRA Object, 110)

the system comprises a request controller (Fig. 1, Object Request Broker, 115)

comprising means for:

receiving a client request from the request server, invoking an operation on the network element in response to the client request and using the service provider, and delivering a network element response to the request server (col. 3, lines 61-67 through col. 4, lines 1-2).

In considering claim 2, Houlding discloses an interface system wherein the request server comprises means for communicating with the subscriber using a Web server servlet with IIOP protocol between the request server and the Web server servlet and HTML protocol between the Web server and the subscriber (col. 5, lines 19-28).

In considering claim 3, Houlding discloses wherein the request server has an object-oriented structure (col. 6, lines 55-60) and comprises an object associated with each network element service (col. 4, lines 63-67).

In considering claims 4-6, Houlding discloses wherein the request server comprises a pool thread object comprising means for routing received requests to appropriate service objects and a thread filter object comprising means for filtering requests for the pool thread object wherein the thread filter and the pool thread objects comprise means for allowing concurrent connections to subscribers (col. 4, lines 5-28).

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-19 are rejected under 35 U.S.C. 103(a) as being obvious over Houlding in view of Collins et al. (WO 97/36440 hereinafter Collins).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). For applications filed on or after November 29, 1999, this rejection might also be overcome by showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. See MPEP § 706.02(l)(1) and § 706.02(l)(2).

In considering claim 7, while Houlding discloses the use of the COBRA interface and the IIOP protocol, Houlding does not specifically disclose wherein the interface system comprises a MAP User connected to the service provider for connection to an SS7 network, and wherein the service provider is a MAP service provider. Nonetheless, the aforementioned limitations are well known in the art as evidenced by Collins. In similar art, Collins discloses a Map-user in a GSM environment wherein the GSM system comprises an SS7 signaling system connected to various system entities. The system comprises a SS7 stack, which interfaces between the signaling system and a MAP-provider. The MAP-user is connected to the Map-provider and comprises a database (page 4, lines 5-12).

The COBRA interface is a platform independent and language independent interface, and the use of COBRA enables users to interface to objects instead of processes. In addition, the use of the IIOP enables a system to be highly extensible for integration with other technologies such as SMS, SMTP, and GSM networks. In the present system taught by Houlding, the use of the IIOP enables the unrestricted implementation of remote devices, wherein the remote devices could be mobile or non-mobile devices hosting the IIOP protocol.

It would have been obvious to a person having ordinary skill in the art to modify the system as disclosed by Houlding to include the Map-user which interfaces with a SS7 network and a Map-provider in order to allow the internetworking of two non-compatible systems, thereby allowing the user to have the capability to communicate with objects on a different service platform. Therefore, the modifications would have been obvious.

In considering claim 8, the combined system of Houlding and Collins further discloses wherein the Map user comprises a message router and a dialogue manager, the message router

comprising means for interfacing with the MAP service provider and the dialogue manager comprising means for sending MAP messages for transfer to the MAP service provider (page 5, lines 20-28).

In considering claims 9, the combined system of Houlding and Collins further discloses wherein the dialogue manager comprises means for assigning resources to handle MAP dialogue for each subscriber request and for maintaining a dialogue with the network element until the request has been resolved (page 6, lines 4-8).

In considering claim 10, the combined system of Houlding and Collins further discloses wherein the dialogue manager comprises means for recognizing trigger messages as indicating a new dialogue (page 7, lines 10-16).

In considering claim 11, the combined system of Houlding and Collins further discloses wherein the dialogue manager comprises means for managing a MAP-based dialogue associated with each of a plurality of different types of trigger messages.

In considering claim 12, the combined system of Houlding and Collins further discloses wherein the MAP user has an interface with the request server for receiving requests, the interface comprising means for providing request services (page 5, lines 17-19).

In considering claims 13-17, and 19, although the combined system of Houlding and Collins discloses the system substantially as claimed, it fails to disclose wherein the request services include a registration service, an erasure service, an activation service, an interrogation service, supplementary services or a register password service. Nonetheless, the type of services that the designer chooses to provide is merely a design choice and would not change the overall functionality of the system. It would have been obvious to a person having ordinary skill in the

art to recognize that the request server is capable of providing a plurality of different services that the user may request. Therefore the claimed limitation would have been an obvious modification.

In considering claim 18, the combined system of Houlding and Collins further discloses wherein the request controller comprises means for invoking an operation on a mobile network HLR (page 4, lines 15-19).

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- EPO 873026 A1 – A method for providing a service for users of a telecommunications network wherein service calls requesting the execution of the service for a respective one of the users are routed to a service switching exchange of the telecommunication network.
- WO 9907106 A – An Internet profile management system for radio telephone subscribers that enable Internet access to radiotelephone subscriber service profiles in a home locations register.
- WO 9816051 A – A system that provides network control of telephony services using downloading applications wherein a telephone switch responsive to instructions from the call control server uses a call control protocol to establish connections between telephone sets.
- WO 9920060 A – A service management access point that creates, provisions, customizes, and restricts service offerings available on an intelligent network.




Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D Flynn whose telephone number is 703-308-7609. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimberly D Flynn  
Examiner  
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